

## Paul Flack

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**From:** Paul Flack  
**Sent:** Monday, December 5, 2022 6:28 PM  
**To:** Themeli, Sonila (SHB); guldem@sec.gov  
**Cc:** Cooksey, Sharon (SHB); David Gerger (dgerger@ghmfirm.com)  
**Subject:** RE: SEC v Chavez

Sonila and Matt,

Thank you confirming receipt of the Mercedes. I will follow up with Mauricio regarding whether there are any other keys. I know he looked for the title, but was not able to find it, but he was going to look some more. If he can't find it, I know we can order another copy on line, because my wife recently had to do that for one of our cars. With respect to the other cars, the only one Mauricio owns or has in his possession is the BMW. Unlike the Mercedes, it is not paid for. He paid \$15,000 down and the payments are \$695/month. He does not own any other cars, so he needs the BMW to pick up his daughter etc.

Mauricio is working on a budget of what he will need to live on until he can find employment. I hope to get that budget/proposed allowance to you in the next few days.

Regarding the requests for sworn accounting and information, he cannot do that since his records were all seized and because he would assert his 5<sup>th</sup> Amendment rights.

I have heard both of your concerns about people continuing to solicit people for CFX and I have emphasized to Mauricio his need to have nothing to do with anything like that.

I appreciate the courtesies you have both extended us. Please let me know of any other issues I should prioritize as I am getting up to speed.

Thank you,

Paul D. Flack  
(713) 705-3087

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**From:** Themeli, Sonila (SHB) <STHEMELI@shb.com>  
**Sent:** Monday, December 5, 2022 3:30 PM  
**To:** Paul Flack <pflack@prattflack.com>  
**Cc:** Cooksey, Sharon (SHB) <SCOOKSEY@shb.com>; Themeli, Sonila (SHB) <STHEMELI@shb.com>  
**Subject:** RE: SEC v Chavez

Hello Mr. Flack,

I spoke with Mr. Poutous today, and he said he has received Mr. Chavez's Mercedes VIN: 4JGFB6BB7MA288181. However, he only received only one set of keys and no title document. Please provide the other key to the car and the title document to Mr. Poutous or us as soon as possible.

Also, as previously requested, Mr. Chavez must turn over the following cars (together with all keys and title or loan documents) by this Wednesday Dec. 7, 2022:

1. White 2020 Volkswagen Tiguan - 4 Dr Wagon Sport Utility, VIN: 3VV3B7AX4LM041309

2. Gray 2022 BMW X6 - 4 Dr Wagon Sport Utility, VIN: 5UXCY8C07N9J61298
3. Gray 2021 Lexus ES - Sedan 4 Door, VIN: 58AGZ1B16MU104673

Thank you,

**Sonila Themeli**

*Senior Counsel*

Shook, Hardy & Bacon L.L.P.

713.546.5656 | [sthemeli@shb.com](mailto:sthemeli@shb.com)



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**From:** Paul Flack <[pflack@prattflack.com](mailto:pflack@prattflack.com)>

**Sent:** Friday, December 2, 2022 4:47 PM

**To:** Themeli, Sonila (SHB) <[STHEMELI@shb.com](mailto:STHEMELI@shb.com)>

**Cc:** David Gerger ([dgerger@ghmfirm.com](mailto:dgerger@ghmfirm.com)) <[dgerger@ghmfirm.com](mailto:dgerger@ghmfirm.com)>; Cooksey, Sharon (SHB) <[SCOOKSEY@shb.com](mailto:SCOOKSEY@shb.com)>

**Subject:** RE: SEC v Chavez

## EXTERNAL

Ms. Themeli,

I have spoken to Mauricio and Mr. Poutous. Mauricio is going to bring him the Mercedes at 10 am tomorrow (Saturday) at the address you provided.

I am still working on getting my arms around the situation with the other cars and will be in touch when I know more.

Paul D. Flack  
(713) 705-3087

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**From:** Themeli, Sonila (SHB) <[STHEMELI@shb.com](mailto:STHEMELI@shb.com)>

**Sent:** Friday, December 2, 2022 9:34 AM

**To:** Paul Flack <[pflack@prattflack.com](mailto:pflack@prattflack.com)>

**Cc:** David Gerger ([dgerger@ghmfirm.com](mailto:dgerger@ghmfirm.com)) <[dgerger@ghmfirm.com](mailto:dgerger@ghmfirm.com)>; Cooksey, Sharon (SHB) <[SCOOKSEY@shb.com](mailto:SCOOKSEY@shb.com)>; Themeli, Sonila (SHB) <[STHEMELI@shb.com](mailto:STHEMELI@shb.com)>

**Subject:** RE: SEC v Chavez

Mr. Flack,

The Receiver will not oppose a motion for a \$14,500 allowance for reasonable attorneys' fees after Mr. Chavez turns over the 4 cars and passwords/credentials for the CFX computers and the other devices we obtained from the CFX offices and which we have requested multiple times. The Receiver will not oppose another \$14,500 allowance for reasonable attorneys' fees after we see some meaningful cooperation from Mr. Chavez.

The four cars, including all keys, titles and other related documents, can be taken at Michael Poutous Auto Sales at 4601 Kelvin Dr., Houston, TX 77005. Please call Mr. Poutous at (713) 791-4203 to let him know when the cars will be there and let me know as well.

The four cars are: 2021 Mercedes Benz GLE AMG, 2022 BMW X6, 2021 Lexus ES 350 and 2021 Volkswagen. I understand that there is a note on the BMW; please send the documentation related to that note as soon as possible.

Also, like with the other counsel involved in this case, going forward, please file a motion with the court for the payment of incurred fees.

Thank you,

**Sonila Themeli**

*Senior Counsel*

Shook, Hardy & Bacon L.L.P.

713.546.5656 | [sthemeli@shb.com](mailto:sthemeli@shb.com)



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**From:** Paul Flack <[pflack@prattflack.com](mailto:pflack@prattflack.com)>  
**Sent:** Thursday, December 1, 2022 8:22 PM  
**To:** Themeli, Sonila (SHB) <[sthemeli@shb.com](mailto:sthemeli@shb.com)>  
**Cc:** David Gerger ([dgerger@ghmfirm.com](mailto:dgerger@ghmfirm.com)) <[dgerger@ghmfirm.com](mailto:dgerger@ghmfirm.com)>  
**Subject:** RE: SEC v Chavez

## EXTERNAL

Also, please let me know asap your position regarding rates and the retainer.

Thank you,

Paul D. Flack  
(713) 705-3087

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**From:** Paul Flack  
**Sent:** Thursday, December 1, 2022 8:09 PM  
**To:** Sonila Themeli ([sthemeli@shb.com](mailto:sthemeli@shb.com)) <[sthemeli@shb.com](mailto:sthemeli@shb.com)>  
**Cc:** David Gerger ([dgerger@ghmfirm.com](mailto:dgerger@ghmfirm.com)) <[dgerger@ghmfirm.com](mailto:dgerger@ghmfirm.com)>  
**Subject:** SEC v Chavez

Ms. Themeli,

I am now representing Mauricio Chavez. I plan to file an appearance and notify the Court of my rate and request a retainer of \$25,000, which would only be half of what you have allowed for Mr. Benvenuto's counsel.

I will then talk with Mr. Chavez about the issues of assets and information you have requested.

Please direct all future communications regarding Mr. Chavez to me.

Thank you,

Paul D. Flack  
(713) 705-3087

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